

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RAJESH KUMAR KAPOOR,

Defendant.

Case No. 24-cr-00158-EMC-1

ORDER RE JURY QUESTIONNAIRE

The Court has reviewed the parties' submission for the jury questionnaire. *See* Docket No. 94. The Court shall use the Standard Jury Questionnaire for the District for criminal cases but shall modify it as described below.

I. STATEMENT OF THE CASE

The parties have agreed on a statement of the case, to be inserted above Standard Question 25. The Court has modified the statement slightly to remove names:

The United States alleges that, on January 16, 2024, the defendant and another passenger were onboard United Airlines Flight 892, which originated in South Korea and landed in San Francisco. The government alleges that, while on that flight, the defendant knowingly engaged in sexual contact with the passenger, and that he did so without the passenger's permission. The defendant has pleaded not guilty to the charge.

II. MODIFICATIONS TO STANDARD JURY QUESTIONNAIRE

The parties have agreed to modifications of Standard Questions 26 and 27.

Standard Question 26 has been modified to add the specific dates of trial:

26. Jury selection is scheduled to take place on January 3, 2025, and trial will take place on January 6-10 and January 13, 2025, possibly longer depending on deliberations. January 6 will be a half

day only (12:00 p.m. to 4:00 p.m.); all other days are full days (8:30 a.m. to 4:00 p.m.). The Court understands that jury service imposes a burden on jurors but is nonetheless an important civic duty. Is there anything about your health, life circumstances, or upcoming schedule that would make it exceptionally difficult for you to serve as a juror during that time period?

Standard Question 27 has been modified to add information about the facts of this case:

27. In this case you may hear testimony involving allegedly non-consensual sexual contact between adults. Is there anything about this subject matter that creates a question in your mind as to whether you can be a fair, objective, and impartial juror in this case?

The Court approves the parties' modifications.

III. PARTIES' PROPOSED ADDITIONAL QUESTIONS

The parties have jointly proposed one additional question and then each side has asked for three more questions. The Court shall use some, but not all, of the proposed questions and further has modified some of the proposed questions. Below are the additional questions approved by the Court.

xxx. Have you traveled internationally and/or do you frequently travel on airplanes?

No

Yes

xxx. Have you, or has anyone close to you, ever been a victim of sexual assault, sexual harassment, or other sexual misconduct, including but not limited to unwanted advances?

No

Yes

If yes, please provide any details you are comfortable sharing, and explain if there is something about that experience that could affect your jury service in this case.

xxx. Have you, or has anyone close to you, ever been accused, formally or informally, of sexual assault, sexual harassment, or any other form of sexual misconduct?

No

Yes

If yes, please provide any details you are comfortable sharing, and explain whether (i) the accusation was, in your view, falsely or wrongly made; and/or (ii) if there is something about that experience that could affect your jury service in this case.

xxx. Do you believe people are more or less likely to falsely report sexual assault compared to other crimes?

No


More likely

Less likely

If more likely or less likely, please explain and address whether there is anything about your belief(s) that could affect your jury service in this case.

IT IS SO ORDERED.

Dated: December 10, 2024


EDWARD M. CHEN
United States District Judge